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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,529	12/02/2004	Oskar Juhlin	P70249US0	4448

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WASHINGTON, DC 20004

EXAMINER

VANTERPOOL, LESTER L

ART UNIT	PAPER NUMBER
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3727

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/516,529	<b>Applicant(s)</b> JUHLIN, OSKAR	
	<b>Examiner</b> Lester L. Vanterpool	<b>Art Unit</b> 3727	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some    \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>August 11, 2005</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 4 – 7 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only, and / or, cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper (U.S. Patent Number 5577652) in view of Klot (U.S. Patent Number 5415332). Cooper discloses the bag (10) comprising the bottom wall (36) and four side-wall portions that extend along respective edges of the bottom wall (36), and further comprising the front wall (38) that connects with the side-wall portions (See Figure1), wherein the bag strap (14) has two ends that are connected to the first side-wall portion (30) by means of the

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connecting fitting (20) (See Figures 1 & 2), and wherein the strap (14) extends through the strap transit fitting (20) on the bag (10).

Furthermore, Cooper discloses in that the fitting (20) connecting the strap ends (14) is able to pivot in the plane of the first side-wall portion (30).

However, Cooper does not disclose that the strap transit fitting is attached to a second sidewall portion located immediately opposite the first sidewall portion.

Furthermore, Cooper does not does not disclose that the strap is arranged to lie in flat abutment with and along the first and the second side-wall portions and in flat abutment with and along the intermediate third side-wall portion.

Kliot teaches the strap transit fitting (60 & 62) is attached to the second sidewall portion located immediately opposite the first sidewall portion for the purpose of the user accessing the strap easier. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the strap transit fitting attached to the second side-wall portion as taught by Kliot with the bag of Cooper in order to enhance the users gripping and carrying posture.

Kliot also teaches the strap (14) is arranged to lie in flat abutment with and along the first and the second side-wall portions and in flat abutment with and along the intermediate third side-wall portion for the purpose of shortening the strap when not in use. It would have been obvious to one having ordinary skill in the art at the time the invention was made to arrange the strap to lie flat abutment as taught by Kliot with the bag of Cooper in order to enhance the bag and strap multi-functional capabilities.

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4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper (U.S. Patent Number 5577652) in view of Kliot (U.S. Patent Number 5415332) as applied to claim 1 above, and further in view of Courchesne (U.S. Patent Number 4125212). Cooper and Kliot disclose the invention substantially as claimed. However, Cooper and Kliot do not disclose support feet disposed on the outside of the third sidewall portion to receive the strap between the feet.

Courchesne teaches support feet (8) disposed on the outside of the third sidewall portion (See Figures 1 – 4), to receive the strap (10) between the feet (8) (See Figure 7) for the purpose of storing the strap ends. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the support feet as taught by Courchesne with the bag of Cooper in order to enhance aligning the strap.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper (U.S. Patent Number 5577652) in view of Kliot (U.S. Patent Number 5415332) as applied to claim 1 above, and further in view of Wadden (U.S. Patent Number 5881932). Cooper and Kliot disclose the invention substantially as claimed.

However, Cooper and Kliot do not clearly disclose the first and the second sidewall portions are shorter than the third and fourth sidewall portions.

Wadden teaches the first (24) and the second (26) sidewall portions are shorter than the third (20) and fourth (22) sidewall portions (See Figure 1) for the purpose of making the bag rectangular. It would have been obvious to one having ordinary skill in

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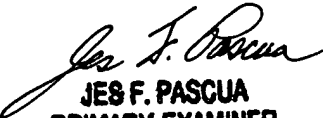
the art at the time the invention was made to make the sidewall portions as taught by Wadden with the bag of Cooper in order to enhance the rectangular design shape.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lester L. Vanterpool whose telephone number is 571-272-8028. The examiner can normally be reached on Monday - Friday (8:30 - 5:00) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on 571-272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**JES F. PASCUA**  
**PRIMARY EXAMINER**

LLV